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|-------------------------------|------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                               | 10/020,568             | ORENSTIEN ET AL.    |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                               | Felix E Suarez         | 2857                |  |

-- **The MAILING DATE of this communication appears on the cover sheet with the corresponding address--**  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment and response filed 15 April 2004.
2. ☒ The allowed claim(s) is/are 1-37.
3. ☒ The drawings filed on 06 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 1-37 are allowable.
2. The following is a statement of reasons for the indication of allowable subject matter:

Claims 1-37 are allowable because the prior art, particularly Vanhoof et al. [U.S. Patent No. 6,212,566] (hereafter Vanhoof), Fernandez et al. [U.S. Patent Application Publication No. 2001/0022615] (hereafter Fernandez), Simar Jr. et al. [U.S. Patent No. 6,182,203] (hereafter Simar), Senyk [U.S. Patent No 6,363,490], Mishigaki [U.S. Patent No 6,463,396], Nizar et al. [U.S. Patent No 6,470,238] (hereafter Nizar) and Thomas et al. [U.S. Patent No 6,487,668] (hereafter Thomas) fail to teach or suggest an apparatus (or system) comprising:

a monitor to obtain a plurality of monitor values from said plurality of processing units, wherein said monitor is to transfer a process from a first processing unit of said plurality of processing units to a second processing unit of said plurality of processing units in response to said plurality of monitor values;  
nor

a monitor to receive monitor information from each of said plurality of processing units and to re-allocate processes to different ones of said plurality of processing units in response to the monitor information received from the plurality of processing units.

Vanhoof, Fernandez, Simar, Senyk, Mishigaki, Nizar and Thomas also fail to teach or suggest an apparatus comprising:

monitor to monitor temperature and/or power consumption of said first core and said second core, and, in response to a selected metric being reached by one of said first core and said second core, to trigger storage of said plurality of first core state variables and said plurality of second core state variables in said cache and restoring of said plurality of second core state variables to said first core and restoring of said plurality of first core state variables to said second core.

Vanhoof, Fernandez, Simar, Senyk, Mishigaki, Nizar and Thomas also fail to teach or suggest a method (or apparatus or a machine readable medium) comprising:

a module to periodically transfer processes from a first processing unit from said plurality of processing units to a second processing unit from said plurality of processing units; nor

swapping processes between said plurality of processing units in response to monitoring power consumption of said plurality of processing units.

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix Suarez, whose

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telephone number is (703) 308-4926. The examiner can normally be reached on weekdays from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on (703) 308-1677. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7382 for regular communications and (703) 308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

June 21, 2004

F.S.



MARC S. HOFF  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800